

LEGISLATIVE & RULES COMMITTEE

AGENDA

SEPTEMBER 5, 2019

*Committee Members: Supervisors Strough, Leggett, Braymer, Wild, McDevitt, Diamond, Dickinson, Geraghty, Magowan, Sokol and Driscoll*

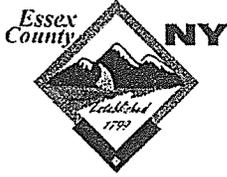
- I. Committee meeting called to order by Chairman
- II. Motion to approve the minutes of the prior meeting - *May 2, 2019*
- III. Action Agenda/New Business Items:
  - 1) Essex County Board of Supervisors Resolution No. 238 of 2019, *“Resolution in Appreciation and Support of the New York State Department of Environmental Conservation and the New York State Attorney General’s Office for Appealing the July 3<sup>rd</sup>, 2019 New York State Appellate Division Third Department’s Decision Regarding Tree Cutting within “Forever Wild” Forest Land inside the Adirondack Park and Encouraging the NYS DEC to Place a Hold on Tree Cutting on Public Lands in The Adirondack Park until such time that the Courts have Defined what the Requirements will be”*
- IV. Discussion Items:
  - 1) Redistribution of sales tax revenues in Warren County.
- V. Referrals/Pending Items:

None.
- VI. Privilege of the Floor to discuss any additional items to come before the Committee
- VII. Motion to adjourn

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Attachments:

- 1) Essex County Board of Supervisors Resolution No. 238 of 2019.



# Essex County Board of Supervisors

Resolution No. 238

September 3, 2019  
Regular Board Meeting

**RESOLUTION OF APPRECIATION AND SUPPORT OF THE  
NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL  
CONSERVATION AND THE NEW YORK STATE ATTORNEY  
GENERAL'S OFFICE FOR APPEALING THE JULY 3<sup>RD</sup>, 2019,  
NEW YORK STATE APPELLATE DIVISION THIRD  
DEPARTMENT'S DECISION REGARDING TREE CUTTING  
WITHIN "FOREVER WILD" FOREST LAND INSIDE THE  
ADIRONDACK PARK AND ENCOURAGING THE NYS DEC TO  
PLACE A HOLD ON TREE CUTTING ON PUBLIC LANDS IN  
THE ADIRONDACK PARK UNTIL SUCH TIME THAT THE  
COURTS HAVE DEFINED WHAT THE REQUIREMENTS  
WILL BE**

The following resolution was offered by Supervisor , who moved its adoption.

Upon the recommendation of the Finance Committee, with the approval of the Ways and Means Committee of this Body, and the same appearing proper and necessary.

**WHEREAS**, by a Decision dated July 3, 2019, the New York State Supreme Court, Appellate Division, Third Department has determined that the cutting of any size diameter trees in the Adirondacks is unconstitutional and in violation of the "Forever Wild" section of the New York State Constitution; and

**WHEREAS**, this Board has learned that the New York State Department of Environmental Conservation and the Attorney General's Office intends to appeal the Decision to the New York State Court of Appeals for a more definite ruling and determination on the issues; AND

**WHEREAS**, this Board is completely in support of the ability to cut certain trees within the Adirondack Park and supports the NYS DEC and the New York State Attorney General's Office in their appeal in order to delineate and designate exactly the height and diameter of tree, type of tree or location of various trees that may be cut within the forest preserve without violating the "Forever Wild" designation of the New York State Constitution; and

**WHEREAS**, this Board further supports a moratorium by the DEC of the cutting on public lands until such case has been further resolved.

**BE IT RESOLVED**, that the Essex County Board of Supervisors appreciates and

supports the New York State Department of Environmental Conservation and the New York State Attorney General's Office for appealing the July 3, 2019, New York State Appellate Division Third Department's Decision regarding tree cutting within "Forever Wild" forest land inside the Adirondack Park and encouraging the NYS DEC to place a hold on tree cutting on public lands in the Adirondack Park until such time that the courts have defined what the requirements will be; and

***BE IT FURTHER RESOLVED***, that a copy of this resolution be forwarded to: Governor Andrew Cuomo, Senator Elizabeth O'C. Little, Assemblyman Dan Stec, and New York State Department of Environmental Conservation.

This resolution was seconded by Supervisor , and duly adopted.